

REMARKS

The instant Office Action dated April 3, 2009 listed the following rejections: claims 1-3 and 5-10 stand rejected under 35 U.S.C. § 103(a) over Nakagawa *et al.* (U.S. Patent No. 6,452,231); and claim 4 stands rejected under 35 U.S.C. § 103(a) over Nakagawa in view of Huetting *et al.* (U.S. Patent No. 6,534,823). Claims 11-14 are allowed. Applicant traverses all of the rejections and, unless explicitly stated by the Applicant, does not acquiesce to any objection, rejection or averment made in the Office Action.

Applicant respectfully maintains that the § 103(a) rejections of claims 1-10 are improper for the reasons discussed in the Response dated May 15, 2009, hereby incorporated by reference in its entirety. In particular, the '231 reference does not teach or suggest various aspects of the claimed invention, as previously discussed. Notwithstanding, in an effort to facilitate prosecution, Applicant has amended claim 1 to include aspects directs to a plurality of cells that each have source implantations that are not formed by a common region and that each have drain implantations that are not formed by a common region. The '231 reference does not disclose such aspects, but instead teaches that the sources of each cell are formed by a common source layer 143n and that the drains of each cell are formed by a common drain layer 144n as is clearly illustrated in Figure 47. Thus, the '231 reference does not correspond to the claimed invention. Accordingly, the § 103(a) rejections of claims 1-10 are improper and Applicant requests that they be withdrawn.

Applicant has also added new claims 15 and 16, which depend from claim 1 and thus are allowable over the cited references for at least the reasons discussed above. Applicant notes that support for the claims amendments presented above and for new claims 15 and 16 can be found throughout Applicant's disclosure including, for example, in Figure 4 and Paragraph 0046 of the published version of Applicant's specification.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

Please direct all correspondence to:

Corporate Patent Counsel
NXP Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131

CUSTOMER NO. 65913

By: 

Name: Robert J. Crawford
Reg. No.: 32,122
651-686-6633
(NXPS.323PA)